

HOUSE BILL No. 1297

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-3-4.1.

Synopsis: Annexation of agricultural land. Allows a town located in a county that contains a racetrack sanctioned by a nationally chartered and recognized auto racing organization to exempt annexed agricultural land from property tax liability until the land is rezoned under a different classification.

Effective: July 1, 2005.

Whetstone, Goodin

January 11, 2005, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1297

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-4-3-4.1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4.1. (a) This section
3 applies to the following:

4 (1) A town having a population of:

5 (A) more than fifteen thousand (15,000); or

6 (B) more than five thousand (5,000) but less than six thousand
7 three hundred (6,300);

8 located in a county having a population of more than one hundred
9 thousand (100,000) but less than one hundred five thousand
10 (105,000).

11 (2) A city having a population of more than thirty-two thousand
12 eight hundred (32,800) but less than thirty-three thousand
13 (33,000).

14 (3) A municipality that is located in a county having a population
15 of more than four hundred thousand (400,000) but less than seven
16 hundred thousand (700,000).

17 (4) A town having a population of more than nine thousand

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(9,000) but less than thirty thousand (30,000) located in a county having a population of more than one hundred eighty thousand (180,000) but less than one hundred eighty-two thousand seven hundred ninety (182,790).

(5) A town located in a county that contains a racetrack sanctioned by a nationally chartered and recognized auto racing organization.

(b) Except as provided in subsection (c), the legislative body of a municipality to which this section applies may, by ordinance, annex territory that:

(1) is contiguous to the municipality;

(2) in the case of a municipality described in subsection ~~(a)(1)~~ **(a)(1)(A) or (a)(1)(B)**, has its entire area within the township within which the municipality is primarily located; and

(3) is owned by a property owner who consents to the annexation.

(c) Subsection (b)(2) does not apply to a town having a population of:

(1) more than five thousand (5,000) but less than eight thousand (8,000); or

(2) more than nine thousand (9,000) but less than twelve thousand five hundred (12,500);

in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(d) Territory annexed under this section is exempt from all property tax liability under IC 6-1.1 for municipal purposes for all portions of the annexed territory that ~~is~~ **are** classified for zoning purposes as ~~agriculture~~ **agricultural** and ~~remains~~ **remain** exempt from the property tax liability while the property's zoning classification remains ~~agriculture~~ **agricultural**.

(e) There may not be a change in the zoning classification of territory annexed under this section without the consent of the owner of the annexed territory.

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